

**UNITED STATES BANKRUPTCY COURT FOR THE
SOUTHERN DISTRICT OF MISSISSIPPI**

In re:

**EMMER L. TENNER AKA EMMER HARRINGTON
Debtor**

**CHAPTER 13
CASE NO. 10-03628-NPO**

**HSBC Bank Nevada, N.A.
Movant**

V.

**EMMER L. TENNER AKA EMMER HARRINGTON
Respondent**

**MOTION FOR RELIEF FROM THE AUTOMATIC STAY, TO
ABANDON PROPERTY AND OTHER RELIEF**

COMES NOW, HSBC Bank Nevada, N.A. (“Movant”) a secured creditor herein, pursuant to 11 U.S.C. §§ 362 and 554(b) and moves for relief from the automatic stay, for abandonment and for other relief and in support would show unto the Court the following:

1. Movant holds a claim against the Debtor which is secured by a 2006 Kawasaki ZXI Motorcycle, VIN JKBZXNA1X6A005643 (“Property”). Copies of the note and certificate of title are attached collectively hereto as Exhibits “A” and “B”, respectively.
2. Movant has not been provided adequate protection with respect to its claim secured by the Property.
3. Good and sufficient cause exists to lift, terminate and annul the automatic stay of 11 U.S.C. § 362, and for the Property to be abandoned.
4. Upon information and belief, the Debtor plans to abandon and surrender the Property.

WHEREFORE, Movant moves for an order for relief from the automatic stay and to abandon property pursuant to 11 U.S.C. §§ 362 and 554, to terminate any other restraint against Movant exercising its rights as to its collateral, and to authorize Movant to take possession, sell,

lease, or otherwise dispose of the Property. Movant prays for such other and general relief as this Court may deem just.

This the 28th day of January, 2011.

Respectfully submitted,

**BENNETT LOTTERHOS SULSER
& WILSON, P.A.**

/s/ Charles Frank Fair Barbour

Charles Frank Fair Barbour, MSB # 99520

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CERTIFICATE OF SERVICE

I, Charles Frank Fair Barbour, do hereby certify this day that I electronically filed the above and foregoing with the Clerk of the Court using the ECF system which sent notification of such filing to the following:

Toni Walker Terrett at terrett2@juno.com

James Henley at jlhenley@jlhenleych13.net

R. Michael Bolen at USTPRegion05.JA.ECF@usdoj.gov

/s/ Charles Frank Fair Barbour